

**CITY OF PROVIDENCE
RHODE ISLAND**

**DOCKET FOR THE SPECIAL MEETING
OF THE
CITY COUNCIL
ON**

THURSDAY, JULY 21, 2005

**COUNCIL PRESIDENT
JOHN J. LOMBARDI**

PRESIDING

**1. John J. Lombardi, Council President
Councilman Ward 13 (D)
48 Grove Street 02909**

**2. Kevin Jackson
Councilman Ward 3 (D)**

91 Jenkins Street 02906

3. Ronald W. Allen

Councilman Ward 8 (D)

328 Bucklin Street 02907

4. Carol A. Romano

Councilwoman Ward 4 (D)

31 Manhattan Street 02904

5. Terrence M. Hassett

Councilman Ward 12 (D)

15 Higgins Avenue 02908

6. Joseph DeLuca, Deputy Majority Leader

Councilman Ward 6 (D)

191 Carleton Street 02908

7. Peter S. Mancini

Councilman Ward 14 (D)

104 Meridian Street 02908

8. Josephine DiRuzzo

Councilwoman Ward 15 (D)

141 Roosevelt Street 02909

9. Luis A. Aponte, Majority Leader

Councilman Ward 10 (D)

208 Washington Avenue 02905

10. Rita M. Williams, Deputy Majority Leader

Councilwoman Ward 2 (D)

76 Savoy Street 02906

11. Patrick K. Butler

Councilman Ward 5 (D)

63 Hilltop Avenue 02908

12. David A. Segal, Minority Leader

Councilman Ward 1 (G)

335 Ives Street 02906

13. Miguel C. Luna

Councilman Ward 9 (D)

146 Warrington Street 02907

14. Balbina A. Young, Council President Pro Tempore

Councilwoman Ward 11 (D)

P.O. Box 72761 02907

15. John J. Iglizzi

Councilman Ward 7 (D)

19 Legion Memorial Drive 02909

1. ROLL CALL

2. INVOCATION

PLEDGE OF ALLEGIANCE

3. The Pledge of Allegiance to the Flag of the United States of America led by Councilwoman Carol A. Romano.

CALL FOR SPECIAL MEETING

COMMUNICATION FROM

COUNCIL PRESIDENT JOHN J. LOMBARDI

4. Request, filed with the Acting City Clerk, July 19, 2005, Requesting a Special Meeting of the City Council to be Called on the 21st day of July, 2005 at 7:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

WARRANT FOR SPECIAL MEETING

5. Warrant of the Acting City Clerk to Vincent J. Berarducci, City Sergeant with Return Certification that he has notified each Member of the City Council of the Special Meeting Called for the 21st day of July, 2005 at 7:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

ORDINANCES SECOND READING

The Following Ordinances were in City Council July 7, 2005, Read and Passed The First Time and are Severally Returned for Passage the Second Time:

6. An Ordinance in Amendment of Ordinance No. 85, Chapter 1997-18 Entitled: “An Ordinance to Adopt the ProvPort, Inc. Tax Exemption Agreement, As Amended.

7. An Ordinance Establishing and Granting a Tax Stabilization Plan for 65 Pavilion, LLC, with respect to Assessor’s Plat 54, Lot 155 of the City of Providence.

8. An Ordinance Establishing and Granting a Tax Stabilization Plan for Sampalis Realty, LLC with respect to Assessor’s Plat 20, Lot 176 of the City of Providence.

9. An Ordinance in Amendment of Chapter 2004-41, Ordinance Number 544, Entitled: “An Ordinance in Amendment of Chapter 27 of the Ordinances of the City of Providence Entitled: “The City of Providence Zoning Ordinance”, Approved June 27, 1994, As Amended.

10. An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled “The City of Providence Zoning Ordinance” Approved June 27, 1994, As Amended.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DELUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, COUNCILWOMAN ROMANO,

COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:

11. Resolution Authorizing the hiring of an attorney, under the provisions of the Providence Home Rule Charter of 1980, As Amended, Section 410(d), relative to the review of the proposed amendments to the City of Providence Zoning Ordinance, in a total amount not to exceed \$75,000.00.

12. Resolution Authorizing the hiring of a Planning Consultant for the review of the proposed amendments to the City of Providence Zoning Ordinance, in a total amount not to exceed \$75,000.00.

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DELUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN HASSETT, IGLIOZZI, COUNCILWOMAN ROMANO and COUNCILWOMAN YOUNG:

13. Resolution Retaining R. Kelly Sheridan, under the provisions of the Providence Home Rule Charter of 1980, As Amended, Section 410(d), relative to the removal of the Ten Commandments Monument,

in a total amount not to exceed \$20,000.00.

REPORTS FROM COMMITTEES

COMMITTEE ON FINANCE

COUNCILMAN KEVIN JACKSON, Chairman

Transmits the Following with Recommendation the Same be Severally Adopted, As Amended:

14. An Ordinance In Amendment of Chapter 2004-33, No. 340, Approved July 30, 2004, of the Ordinances of the City of Providence, making an Appropriation of Five Hundred Eighty Three Million, Nine Thousand, Ninety Two Dollars (\$583,009,092), for the Fiscal Year

Ending June 30, 2006, As Amended.

15. An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 2004-48, No. 583, Approved December 7, 2004, As Amended.

16. An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 2004-49, No 584, Approved December 7, 2004, As Amended.

17. An Ordinance in Amendment of Ordinance Chapter 2005-3 No. 44, An Ordinance to Authorize the Issuance of Special Obligation Tax Increment Refunding Bonds of the City of Providence to refund the outstanding portion of its \$13,260,000 Special Obligation Tax Increment Bonds, Series A dated February 15, 1995, \$10,435,000 Special Obligation Tax Increment Bonds, Series B (Taxable) dated

March 8, 1995 and \$2,805,000 Special Obligation Tax Increment Bonds, Series C (AMT) dated March 8, 1995 and \$11,000,000 Special Obligation Tax Increment Bonds, Series D dated April 1, 1996.

Transmits the Following with Recommendation the Same Be Severally Adopted:

18. An Ordinance Providing for the Assessment and Collection of 2005 taxes in a sum not less than Two Hundred Forty Five Million Dollars (\$245,000,000), and not more than Two Hundred Sixty Five Million (\$265,000,000), being based on a One Hundred Percent (100%) of the 2005-2006 Fiscal Year Tax Collections, Amending Section 21-182 of the Code of Ordinances to reflect the new Tax Classification Plan approved by the Rhode Island General Assembly, Amending Section 21-126 of the Code of Ordinances to raise the Personal Exemptions, and setting the Homestead Rates for Fiscal Year 2006.

Transmits the Following with Recommendation the Same Be

Severally Approved:

19. Resolution Authorizing His Honor the Mayor to execute a Settlement Agreement with the United States Department of Justice making certain commitments about compliance with the Americans with Disabilities Act over the next three years.

20. Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor’s Plat 23, Lot 462, (117 Providence Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Eight Hundred Twenty Seven Dollars and Twenty Four Cents (\$827.24) Cents, for the years 2003 & 2004, or any taxes accrued, plus any interest accrued, as requested by the Southside Community Land Trust.

21. Resolution Opposing Social Security Privatization.

22. Communication from His Honor the Mayor dated June 13, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1017 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Edward B. Lebby of 60 Fairview Street, Apt. #3, Providence, RI 02908, as the Director of the Department of Traffic Engineering, and respectfully submits the same for approval.

23. Communication from His Honor the Mayor dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Pich Chhouen of 285 Althea Street, Providence, RI 02909, as a member of the Human Relations Commission for a term to expire in January 2008, and respectfully submits the same for approval. (Mr. Chhouen will be replacing Howard Phengsomphone.)

24. Communication from His Honor the Mayor dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Maryelyn Cepeda-Sanchez of 44 Alvin Street, Providence, RI 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for approval. (Ms. Cepeda-Sanchez will be replacing Laura Rodriguez.)

25. Communication from His Honor the Mayor dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Wendy Becker of 211 Howell Street, Providence, RI 02906, as a member of the Human Relations Commission for a term to expire in January 2007, and respectfully submits the same for approval. (Ms. Becker will be replacing Fitzgerald Himmelsbach.)

26. Communication from His Honor the Mayor dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Dana Benton of 226 Gallatin Street, Providence, RI 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for approval. (Ms. Benton will be replacing Keith Oliviera.)

COMMITTEE ON ORDINANCES

COUNCILWOMAN RITA M. WILLIAMS, Chairwoman

Transmits the Following with Recommendation the Same Be Adopted, As Amended:

27. An Ordinance Relating to Clean Renewable Energy Resources.

COMMUNICATIONS

28. Communication from Councilman Peter S. Mancini, dated July 11, 2005, Informing the Honorable John J. Lombardi, Council President that he is this day re-appointing Mr. Philip McKendall, to the Providence External Review Authority (PERA).

29. Communication from Alix Ogden, Superintendent, Department of Public Parks, dated July 18, 2005, submitting the 2005 Lease and Operating Agreement between the City of Providence and the Rhode Island Zoological Society (RIZS).

FROM THE CLERK'S DESK

30. Petition from MARA General Contractors Inc., requesting to abandon Eureka Street.

31. Petition from Patricia A. Forte, President, Westside Investments, Inc., 2380 Cranston Street, Cranston, RI 02920, requesting to abandon a paper street which abuts 23 Penelope Place.

CONVENTION

The City Council will convene in the Chamber of the City Council,

City Hall, on THURSDAY, JULY 21, 2005 at 7:00 o'clock P.M. (E.D.T.)

**CLAIRE E. BESTWICK
ACTING CITY CLERK**